

INCOMING TELEGRAM

Department of State
OF EUROPEAN AFFAIRS
MESSAGE CENTER

ACTION COPY

32-H

CONFIDENTIAL

Action

1958 NOV 24 AM

Classification

Control:

12898

Rec'd:

NOVEMBER 22, 1958

12:53 PM

EUR

Info

FROM: BONN DEPARTMENT OF STATE
ELW. Per. Gpa/HM/ark

RMR

TO: Secretary of State

SS

NO: 1102, NOVEMBER 22, 5 PM

W

G

SP

C

L

INR

H

UOP

IRC

PRIORITY

SENT DEPARTMENT 1102 REPEATED INFORMATION BERLIN 302,
LONDON 205, PARIS 306, MOSCOW 118.

ALSO SENT USAREUR HEIDELBERG 239

OCB

PARIS PASS USRO USCINCEUR THURSTON AND WEST.

CIA

OSD

ARMY

NAVY

AIR

FOLLOWING THOUGHT SUGGESTED IN EVENT SOVIETS DECLARE THEIR
OCCUPATION RESPONSIBILITIES BERLIN TERMINATED AND TRANSFERRED
TO GERMANS:

FOUR POWERS' RESPONSIBILITIES FOR QUADRIPARTITE STATUS BERLIN
STEM FROM MILITARY CONQUEST AND RESULTING FOUR POWER AGREEMENTS.
NONE OF FOUR POWERS MAY RELINQUISH OR TRANSFER TO OTHERS THE
RIGHTS AND OBLIGATIONS UNDER THESE AGREEMENTS WITHOUT CONSENT OTH
SIGNATORIES. IF ONE POWER DENOUNCES ITS OBLIGATIONS AND TERMINAT
ITS OCCUPATION OF AREA ASSIGNED TO IT (WITHOUT RETAINING EVEN
ULTIMATE RESPONSIBILITIES RESULTING FROM QUADRIPARTITE AGREEMENTS
AS THREE POWERS DID IN CASE FEDERAL REPUBLIC), A VACUUM IS THEREB
CREATED AND REMAINING THREE POWERS COULD DECLARE NECESSITY ASSUM
RESPONSIBILITIES FOR AREA VACATED BY FOURTH POWER.

SINCE SOVIETS LEFT ALLIED KOMMANDATURA, THAT BODY HAS CONTINUED
EXIST ON AT LEAST THEORETICAL QUADRIPARTITE BASIS EVEN THOUGH
ITS JURISDICTION OF NECESSITY LIMITED TO WESTERN SECTORS.
IT COULD BE CLAIMED THAT SOVIET WITHDRAWAL NOW FROM EAST SECTOR
ALTERS THIS SITUATION IN THAT KOMMANDATURA WOULD HAVE TO
RESUME CONTROL OVER THAT SECTOR AND FORM AND EXTENT GERMAN
AUTHORITY THERE SUBJECT TO KOMMANDATURA APPROVAL.

PERMANENT

RECORD COPY

This copy must be returned to the central files with a copy of the original taken.

CONFIDENTIAL

Classification

BRUCE

REPRODUCTION FROM THIS
COPY IS PROHIBITED.

UNCLASSIFIED

762.0221/11-2258

CONFIDENTIAL FILE

This Document must be Returned
to the Central Files